

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Civil Action No. 3:13-cv-703-GCM**

**FMW/MJH AT 2604 HILLSBOROUGH
LLC,**

Plaintiff,

v.

**WSA CONSTRUCTION, LLC; ALL
SEASONS CLEANING SERVICE, INC.;
AMERICAN CONCRETE PUMPING,
INC.; ASSOCIATED FIRE PROTECTION,
INC.; BOYCO CORP. LLC; CAPITOL
RECYCLING, LLC; ENGLER, MEIER &
JUSTUS, INC. D/B/A CIRCLE SUPPLY
OF RALEIGH; CREGGER COMPANY,
INC.; E T SALES, INC. D/B/A CAROLINA
COUNTERS; EAGLE MAILBOX SALES,
INC.; ELITE FLOORING & DESIGN,
INC.; FATHER AND SON PAINTING
CUSTOM PAINTING; FRANCO
MASONRY CONCRETE, INC.; GERDAU
AMERISTEEL US INC.; JRF
MECHANICAL, INC.; MAZZ WELDING
& FABRICATION, INC.; ORLANDO
CABALLERO D/B/A OC DRYWALL &
STUCCO; PINNACLE FIRE SYSTEMS,
INC.; RALEIGH WATERPROOFING,
INC.; SCHINDLER ELEVATOR
CORPORATION; SUNBELT RENTALS,
INC.; SUPERIOR WATERPROOFING,
INC.; TALBERT BUILDING SUPPLY,
INC.; TRIANGLE NORTH EXTERIORS,
INC.; AND ZOCAM PLUMBING, INC.,**

Defendants.

**ORDER FOR DISMISSAL AS TO
DEFENDANT ELITE FLOORING &
DESIGN, INC.**

HAVING CONSIDERED the Consent Motion for Dismissal as to Defendant Elite Flooring & Design, Inc. ("Elite"),

IT IS ORDERED, ADJUDGED, AND DECREED that the claims and demands of Plaintiff FMW/MJH at 2604 Hillsborough LLC (“FMW/MJH”) against Elite and the claims and demands of Elite against FMW/MJH be, and the same hereby are, **DISMISSED**, with prejudice, each party to bear its own costs.

This dismissal shall have no effect on Plaintiff’s claims against the remaining Defendants in this action.

Signed: November 19, 2015



Graham C. Mullen
United States District Judge